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# THE SOUTH CAROLINA HISTORICAL AND GENEALOGICAL MAGAZINE

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## AN INDIAN LAND GRANT IN 1734

Copied and annotated by MABEL L. WEBBER

The grant of land from the Chiefs and Headmen of the Cherokee nation which we are printing below, is of special interest, being one of the earliest on record, and has not heretofore been printed; nor is it noted in the text or on the map of Royce's *Cherokee Nation*.<sup>1</sup>

It is evidently the grant referred to by the Indian trader Ludovick Grant in his "Declaration,"<sup>2</sup> and grew out of the troubles between the Traders and Cherokees in 1733 and 1734. Ludovick Grant states: "The Cherokees . . . were obliged to make their Submission, and accordingly came to Charlestown for that purpose. The Gouvernment used them well, and purchased a small spot of ground from them near Toogaleu to build a Fort upon."

There are several references to this proposed fort in the Journals of the General Assembly of the period;<sup>3</sup> in a communication from the Council to Commons House, dated November 14, 1734, there are several allusions to a fort to be built and in the Council Journal for November 23, 1734, this item appears:

"The verbal Message mentioned was to acquaint the Commons that the Cherokees were sent for to the Council Chamber in order

<sup>1</sup> Bureau of Ethnology, *Fifth Annual Report*.

<sup>2</sup> This *Magazine*, vol. x, p. 58.

<sup>3</sup> Manuscript volumes in the Office of the Historical Commission of South Carolina, Columbia.

to hear their last Talk, receive some presents, Sign the Deed of Sale for a peice of Ground by them sold in the name of their whole Nation for building a Fort, and at the same time to receive the Goods agreed on with them in Consideration of the said Sales, of which they were acquainted in case they thought proper to be present."<sup>4</sup>

This fort planned for, was evidently never built; Fort Prince George was built higher up on the Seneca River for the same purpose in November or December 1753.<sup>5</sup>

The grant covered considerable territory between the Tugaloo and Seneca rivers, just before they join the Savannah. Mouzon's map of 1775 locates a number of the towns mentioned, as does also "George Hunter's Map of the Cherokee Country and the Path thereto in 1730" (*Bull. no. 4*, Historical Commission of S. C.).

The *South-Carolina Gazette* for May 11, 1734, contains the following advertisement, which seems to indicate trouble between the Traders and the Cherokees.

"His Excellency the Governor having received Information from some Traders in the Cherokee Nation, which requires the mature and Immediate Consideration of the Legislature, doth therefore desire the Members of His Majesty's Honourable Council, and those of the Assembly, punctually to meet in Charles Town on the 4th. Instant, as by Adjournment."

And in the *Gazette* for November 2, 1734, the following appears:

"Yesterday Morning his Excellency being acquainted with the Arrival of 70 of the Lower Cherokee Indians near this Town, directed Col. Parris, Publick Treasurer of this Province, to meet them, who accordingly went about a Mile out of the Town, and understanding that they were come down to sue for Peace, the Trade with them having been stopt for some time, they were permitted to come into this Town."

According to information furnished by Mr. F. W. Hodge, of the Bureau of Ethnology, it is not easy to identify the personal names, which seem to be badly contorted. The "Skiagunster," which occurs several times, is not a proper name, but a title, viz: *Asgaya-gunster*, "Venerated or Respected Man." Both town names and personal names are in the Lower Cherokee dialect, in

<sup>4</sup> Copy furnished by A. S. Salley, Jr.

<sup>5</sup> Wallace, *Life of Henry Laurens*, appendix, p. 503.

which *R* takes the place of *L*. The towns represent the whole Cherokee territory on both sides of the mountains.

The annexed list of correct Cherokee forms of the towns mentioned is furnished by Mr. James Mooney, of the Bureau of Ethnology, and most of them are to be found in the Glossary to his *Myths of the Cherokees*.<sup>6</sup>

Since the recorded deed from which the following is copied, is of its self a copy, and not the original, the possibilities for errors in the names are considerable.

RECORDS OF THE SECRETARY OF THE PROVINCE<sup>7</sup> OF SOUTH  
CAROLINA, 1732-1734 (BOOK B.B) PAGE 303-4

Let it be Known and Remembered by all Men On whom the Sun doth shine and before whom the Rivers doth run That Wee Sutrathee of Tos-ché-ché Skiagunsta of Tuck-se-che Ustastatee of Ufasee, Ski-agunster of Tou-quá & Tunnasee, Skiagunsta of Terhashee, Conjurer of Che-ho-wee Ski-a-gunsta of Ta-ma-se, Ski-a-gunsta of little Teraqua, Uatastakee of Ufasee, Kiti-a-gunsta of Tosche-ché, Scorioske of Tos-to-che, Tef-ta-he, of little Teraqua, Tef-ta-see of Cun-nu-tra-hee, Scorioskee of Tuosa-shee, Ski-a-gunsta of Nucú-schéé, Estoho-wee of Uatasatéé, Chow-ho-to-wee of No-u-hee, Scorioskee of U-co-nhee, Cunnatahee of Tamasee, Un-cu-na-to of Che-ho-wee, Cherokee Hagé, of Ki-ho-weé, Ustasta-see of Kee-ho-wee, Unnaconone of Esto-to-whee, Headmen and Chiefs of Our several Towns by and with the good liking consent and Agreement of Our Several Towns and for the better keeping bright and Strait the Chain of Friendship between Our Good Friends and Brothers the Sons and Subjects of the Great King George of Great Britain France and Ireland King Inhabitants of his Country and Province of Carolina and Our Selves and Children, in all times Coming And in Consideration of Two Peices of Striped Duffls, two peices Strowds Six peices of Stryped Plains Two hundred Weight of Powder ffour hundred Weight of Bullets and four pounds of Vermillion Given and delivered to Us for our Selves and Our Towns by his Excellency Robert Johnson Esq<sup>r</sup>. Governour and Commander in Cheif of the Said Province

<sup>6</sup> Bureau of Ethnology, *Nineteenth Report*, part 1.

<sup>7</sup> Office of the Historical Commission of South Carolina, Columbia, S. C.

and the rest of his beloved Men with which we Say and acknowledge Our Selves to be well Content and fully Satisfied Have Given Granted and Sold and by this present writen paper Do for Our Selves and Children as long as any, by Us or Our Children Shall continue to be begotten and born Give Grant And Sell Unto the Great King George and his Successors for the Use and Benefit of his People of the said Province All That Tract or parcel of land lying and being between Two great Streams of Water which fall and run into the Savanah River and included by a North Easterly Line from the Town of Chawgee to the Town of Seneca in the lower Cherokee Nation which Land is bounded on the South West by the River Chawgee and on the East Side thereof by the Stream of Water running by the Town of Seneca onto the Savanah River and on the North West by the Said line Running from Chawgee to Seneca aforesaid with all the Trees and Woods lakes and fishings thereon and other Advantages and profits therefrom arising To Have Hold Use and Enjoy The Said Tract and parcel of Lands with all the Goods and benefits Therefrom Arising to his Said Majesty the Great King George the Second and his Successors for the Use and benefit of all Our ffrinds and Brother Inhabitants or which in time to Come Shall be Inhabitants of the Said Country & Province of S<sup>c</sup>. Carolina. And in token of Our Speaking Strait & True We have hereunto Set the marks of Our Several Towns & ffamiley's to be remembered by them and their children as long as the Moon doth Shine by night or the Sun by day contnues to give Warmth and Heat. On the Twenty third day of the rutting Moon in the Year 1734.

[Here follow the signatures, by mark, of twenty-one Indians, in seven columns of three signatures to the column.]

The words [Two pieces of Stryped Duffels] were Interlined between the tenth & Eleventh lines before the signing thereof which was done on the twenty-third day of November 1734.

This deed of Gift Bargin and Sale was explained and interpreted to the Several Indian Chiefs therein mentioned and by them Signed with their Several Marks and delivered by them to his Excellency for the Use therein Contained in the presence of the two houses of Assembly this 23<sup>d</sup>. day of November 1734.

THO. BROUGHTON Pres<sup>d</sup>.

PAUL JENYS Speaker. [S]. [S.]

CORRECT CHEROKEE FORM OF TOWNS MENTIONED.<sup>8</sup>

Toscheche = Taskigi (Tuskegee); Tuchseche = Tsiksitsi (Tuckasegee); Usasee (for Ufasee) = Ayuhwasi (Hiwassee); Touqua = Dakwai (Toquo); Tunnassee = Tanasi (Tennessee); Terhassee = Talasi; Chehowee = Tsiyahi (Cheowee); Tamase = Tomassee; Teraqua = Talikwa; Tostoche = (?); Cunnutrahee = Kanutalâhî; Tuesashee = Tasitsi (?); Nucuschee = Nagutsi (Nacoochee); Utasatee, Estohowee (transposed); Utasatee is probably the personal, and Estohowee ('Statâwi?) the town name; Nouhee = Nâyuhi; Uconhee = Ukwûnû (Oconee); Kihowee = Kuwâhiyi (Keowee); Estotowhee = ('Statâwi).

<sup>8</sup> Furnished by Mr. James Mooney, Bu. Ethnology. â = aw in awl, ñ = nasalized n.